

Merchantville, NJ June 8, 2020

A regular meeting of Borough Council was held at 7:30 PM, Monday, June 8, 2020. Mayor Ted Brennan presided. Pledge of Allegiance and Silent Prayer-for the passing of Chief Ward and Civil unrest were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Sean Fitzgerald, Andrew McLoone, Anthony Perno, Maria Nina Scarpa, Dan Sperrazza, Raymond Woods, and Edward Brennan. Attorney Timothy Higgins, CFO Denise Moules and Clerk Denise Brouse were present through Zoom.

SPECIAL STATEMENT: From Mayor Brennan and the Police Regarding George Floyd

PUBLIC: None

PUBLIC HEARING ORDINANCE 20-05 Amend Chapter 25, Fees **None**

ADOPT ORDINANCE 20-05 Amend Chapter 25, Fees: On the motion of Mr. Perno and second of Ms. Scarpa, Council approved the following:

20-05

ORDINANCE OF THE BOROUGH OF MERCHANTVILE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 25, FEES, IN THE CODE OF THE BOROUGH OF MERCHANTVILE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 25, Fees for Public Records, in the Code of the Borough of Merchantville, is hereby amended as follows:

ARTICLE I.

ARTICLE III. SECTION 25-14 Municipal Fees.

License for temporary locale

Dumpster/Container Permit (10 Day)

\$ 25.00

10 day Renewal (up to three times)

\$ 15.00

ARTICLE II.

ARTICLE III. SECTION 25-14 Vacant and Defaulted Mortgage Properties; Fees.

The following semi-annual (every six months) registration Fees for vacant and/or defaulted mortgage properties shall be as follows:

- | | |
|---|------------|
| 1. Date of initial registration to six (6) months | \$ 500.00 |
| 2. Seven (7) months to Twelve (12) months | \$ 500.00 |
| 3. Thirteen (13) months to Eighteen (18) months | \$1,000.00 |
| 4. (19) months to Twenty-four (24) months | \$1,000.00 |
| 5. Twenty-five (25) months to Thirty (30) months | \$1,500.00 |
| 6. Thirty-one (31) months to Thirty-six (36) months | \$1,500.00 |
| 7. All subsequent six (6) month periods thereafter | \$2,000.00 |

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect on July 1, 2020, upon its passage and publication according to law.

PUBLIC HEARING ORDINANCE 20-06 Amend 60B, Property Maintenance**None**

ADOPT ORDINANCE 20-06 Amend Chapter 60B, Property Maintenance: On the motion of Mr. Perno and second of Mr. Fitzgerald, Council approved the following:

AS AMENDED from 2006 property code to 2018 property code

20-06

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER
60B, PROPERTY MAINTENANCE, IN THE CODE OF THE BOROUGH
OF MERCHANTVILLE**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Chapter 60B, Property Maintenance, in the Code of the Borough of Merchantville, is amended as follows: §

60B-1

PROPERTY MAINTENANCE

§ 60B-4

ARTICLE I**Property Maintenance**

§ 60B-1. Adoption of standards by reference. [Amended 9-24-2007 by Ord. 07-16; 6-8-2009 by Ord. No. 09-13]

The International Property Maintenance Code (IPMC), 2018 Edition, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Borough of Merchantville, in the State of New Jersey, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said IPMC are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 60B-4 of this chapter, three (3) copies of which are on file in the Office of the Borough Clerk of the Borough of Merchantville.

§ 60B-2. Administration.

The Code Enforcement Officer of the Borough of Merchantville shall be charged with the responsibility to administer the Property Maintenance Code of the Borough of Merchantville and accomplish all activities necessary to enforce this chapter.

§ 60B-3. Repealer.

Chapter 15 of the Borough Code of the Borough of Merchantville entitled "Building Code" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed solely as to the section or sections that conflict or are inconsistent with this chapter.

§ 60B-4. Amendments to standards. [Amended 6-8-2009 by Ord. No. 09-13]

The International Property Maintenance Code, 2018 Edition, is hereby amended and revised in the following respects:

A. Section PM-101.1, Title, shall now read as follows:

PM-101.1 Title: These regulations shall be known as the Property Maintenance Code of the Borough of Merchantville, hereinafter referred to as "this code."

ARTICLE I.**ARTICLE II. SECTION 60B-13****Trash dumpsters and roll-off containers.****A. Public Property.**

1. No trash dumpster, roll-off container, or similar container for trash and/or debris of any type may be placed or maintained by any private party in or on any Borough property, street, or right of way except in compliance with the provisions of this Article.

2. Any container to be placed on a street or right of way shall be placed on the street and in a legal parking space as approved or designated by the Borough with an approved material under the container to prevent sinking or damaging the street surface and shall be equipped with appropriate reflectors or other safety markings so that the container will not constitute a hazard to traffic. The specific number, location, and nature of the markings shall be determined by the Borough Police in the exercise of their discretion and shall be noted on the permit as a condition of its issuance.

3. Any permit issued for placement of a container on a street, right of way or other public property shall be valid for a period of ten (10) days and sticker or notice shall be prominently displayed on the street side of the container indicating the commencement and expiration date of the permit.

B. Private Property

1. No trash dumpster, roll-off container, or similar container for trash and/or debris of any type may be placed or maintained on any private property within the Borough except in compliance with the provisions of this Article in a manner and location as set forth on a duly approved site plan.

2. Any container placed on private property shall be placed on a driveway or other suitable base to assure stability and to prevent leakage into the soil. If in the opinion of the Borough Police, the location is sufficiently near to a public vehicular or pedestrian path, the permit may require suitable safety markings as set forth in subsection A, above.

3. Any permit issued for placement of a container on private property shall be valid for a period of ten (10) days and sticker or notice shall be prominently displayed on the street side of the container indicating the commencement and expiration date of the permit.

ARTICLE II.**ARTICLE II.****SECTION 60B-14****Permits required.**

A. Prior to the placement of any bulk storage container, dumpster, roll-off container, or similar container in or on any Borough property, street, or right of way, or on any private property (not covered by a duly approved site plan) the owner or user of such container shall apply for and receive a permit from the Borough pursuant to the provisions and standards set forth in this Article.

B. Application for the permit shall be made to the office of the Borough Clerk or such other office as the Borough Council may from time to time designate on a form provided by the Borough. The application shall require, among other things, the full name, address, and other contact information for both the owner of the container and the owner of the property with which the use of the container is associated. The application shall require a permit fee set forth in Chapter 25, Fees, in the Borough Code.

C. Upon a showing of continued need for the container (such as during the course of major construction projects), permits may be renewed three periods of ten (10) days, for a maximum period of forty (40) days upon application for renewal and payment of an additional fee as set forth in Chapter 25, Fees in the Borough Code.

ARTICLE III.**ARTICLE II. SECTION 60B-15****Responsibility.**

The owner of the container and the owner of the property associated with its use shall be jointly responsible for compliance with the provisions of this Article and shall be responsible for repairing any damage to public property resulting therefrom. Copies of the penalty provisions of this Article shall be appended to the permit and shall be mailed with a copy of the permit to the owner of the container, the property owner, and any other interested party.

ARTICLE IV. ARTICLE III. SECTION 60B-17 Definitions.

As used in this Article, the following terms shall have the meanings indicated:

BOROUGH – the Borough of Merchantville.

EVIDENCE OF VACANCY - Any condition that on its own, or combined with other conditions present, presents the indicia that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash, junk or debris; abandoned vehicles, auto parts or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers, mail and/or mail being returned, or statement by neighbors, passersby, delivery agents or government agents; or the presence of boards over doors, windows or other openings in violation of applicable codes.

MORTGAGEE - The creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the real property, excluding governmental entities.

OPERATOR - Any person, persons or entity who is not the owner, who has charge, care and control of a premises or part thereof, with or without the knowledge, consent or authority of the owner. Operator shall also include a creditor, as defined in P.L. 2014, c. 5, that has served a notice of intention to foreclose on a mortgage on a residential or commercial property pursuant to P.L. 1960B, c. 244, and that property has become vacant after the filing of this intention to foreclose.

OWNER - Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C. 46:10B-51 (P.L. 2008, c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Borough of Merchantville to have authority to act with respect to the property.

REAL PROPERTY - Any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the Borough limits.

SEMI-ANNUAL REGISTRATION - Six months from the date of the first action that requires registration, as determined by the Borough, or its designee, and every subsequent six months. The date of the initial registration may be different than the date of the first action that required registration.

UTILITIES – Any utility that is essential for a building to be habitable. This includes, but is not limited to electric, gas, water, and/or sewer.

VACANT PROPERTY - Any building intended for occupancy used or to be used as a residence which that is not legally occupied, which may be evidenced by the conditions set forth in the definition of "Evidence of Vacancy," and/or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this Article.

VACANT - Any parcel of land in the Borough that contains any building or structure that is not lawfully occupied, or inhabited by human beings which may be as evidenced by the conditions set forth in the definition of "Evidence of Vacancy" above, which is without lawful tenant, or lawful occupant or without a certificate of occupancy.

ARTICLE V. ARTICLE III. SECTION 60B-18 Registration requirements.

The owner and/or operator of any vacant property, as defined herein, shall, within thirty (30) calendar days after the building becomes vacant property or within thirty (30) calendar days after assuming ownership of the vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the Borough, file a registration statement for such vacant property with the Property Maintenance Inspector on forms provided by the Borough for such purposes. Failure to receive notice by the Borough shall not constitute grounds for failure to register the property.

A. Each property having a separate block and lot number as designated in official records of the Borough shall be registered separately. The registration statement shall include the name, street address, telephone number and e-mail address (if applicable) of a person twenty-one (21) years or older, designated by the owner and/or operator or owner and/or operators as the authorized agent for receiving notices of Property Maintenance Code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owners and/or operators in connection with the enforcement of any applicable code, and the name, street address, telephone number and e-mail address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four-hour-per-day, seven-day-per-week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

B. The semi-annual registration shall remain valid for six months from the date of registration. The owner shall be required to renew the registration every six months as long as the building remains vacant and shall pay a registration or renewal fee in the amount prescribed for each property.

C. The registration shall remain valid for one year from the date of registration. The owner and/or operator shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or semiannual renewal fee in the amount prescribed in Section 60B-21 of this Article, for each vacant property registered.

D. The owner and/or operator shall notify the Borough Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Borough Clerk for such purpose.

- 1 The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owners and/or operators of the building.

ARTICLE VI. ARTICLE III. SECTION 60B-21 Fee schedule.

A. A nonrefundable semiannual registration fee that has been established in Chapter 25 of the Borough Code shall accompany each registration pursuant to this Article.

B. All registration fees must be paid directly from the mortgagee, trustee, servicer or owner to the Borough or its designated vendor, at the discretion of the Borough. Third-party registration fees are not allowed without the consent of the Borough and/or its authorized designee.

C. Properties subject to this Article shall remain under the semiannual registration requirement, and the inspection, security and maintenance standards of this Article as long as they are registrable.

D. Said fees collected shall be used to offset the costs of: (1) registration and registration enforcement; (2) code enforcement and mitigation related to vacant properties; and (3) for any related purposes permitted by law.

ARTICLE VII.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE VIII.

This Ordinance shall take effect on July 1, 2020, upon its passage and publication according to law.

APPROVAL OF MINUTES:

On the motion of Ms. Scarpa and second of Mr. Woods Council approves minutes - Council 2/10/20
 On the motion of Mr. Woods and second of Mr. Fitzgerald Council approves minutes - Council 3/9/20
 On the motion of Ms. Scarpa and second of Mr. Woods Council approves minutes - Caucus 1/27/20
 On the motion of Mr. Woods and second of Mr. Perno Council approves minutes - Caucus 2/24/20
 On the motion of Mr. Perno and second of Ms. Scarpa Council approves minutes - Caucus 3/23/20

ENGINEER REPORT: See Attached

CORRESPONDENCE: Sustainable NJ Grant \$2,000

COUNCIL REPORTS

Mr. McLoone – Passion for change. Make sure we have the best practice through all of this. Police volume of activity low. Community has been great and done preventative measures. Read message from Chief in support of protest and peaceful display.

Chief Grassia – Gut wrenching to see video. Get together to move forward in a positive direction.

Ms. Scarpa – Court just started 1st zoom. \$1,185 26 added 37 disposed. 31% less in 2020 to date. Shade Tree - \$10,000 forestry grant. Several trees and stumps removed. Three resignations from Shade Tree Commission. No senior activity.

Mr. Fitzgerald – Fire – 17 calls 68 for year. Drills on line storm help from fire and public works positive. Business Association did a great video that is out on social media. Thank Jacki Ricci for keeping business district updated on Governor’s orders and notices. School putting together plans for graduation and what will take place next year. OEM weekly meeting and Tuesday and Thursday morning meetings as well with updates.

Mr. Brennen and JP Beauchamp hats off for good job. Eric Goonan thank you from Ms. Scarpa for your work on the facebook live event.

Mr. Perno – Budget attached for adoption. 92% this year 93% last year for revenue. Budget reduction 4.39% increase under 4 cents. Monitor fund coming in from State bills \$574,894.93. Vacant and abandoned, 1 new property on and 1 off, 3 buildings sold, 5 sold and being rehabbed, 5 for sale, and 13 properties vacant at this time. Thank Tom, Kevin, and Mara for their help with properties.

Mr. Woods – Incredible Merchantville-got grant to build out garden. Getting close to complete certification, thanks Dorothy Foley.

Mr. Sperrazza – Public Works Jason last day Friday. Looking for replacement, ad out, temporary driver, student for summer help. Someone to learn and grow in position. Storm drain review. Considering sat staff of drop off refused loads in recycling.

Mrs. Brouse- Parks and Playgrounds has been canceled
 A public forum is scheduled for Wellwood Park on June 16th at 7:00
 Sustainable NJ Grant has been received
 Saplings are available again at Borough hall for all residents

Mrs. Moules – Monitoring revenues.

Mayor thanks – Sean, Mara, Tim for help getting Ordinance and Resolution.

Shade Tree Commission – 3 resignations, zoom meeting to discuss concerns, change path forward for commission and Ms. Montefusco has a lot of time and knowledge and we don't want to lose her.

OLD BUSINESS

Update on Covid in Merchantville – State moving into stage 2. Most businesses open by June 22. Thank Council for work in budgeting Cares Act gave fund to Camden County to distribute to Municipalities. Money to combat where they can be used to increase hours for Mike Reilly in community development office, liaison to businesses.

NEW BUSINESS

Shade Tree Commission
Louis Bay 2nd Future Municipal Leaders Scholarship Award

RESOLUTION R20-70 Read Budget by Title Only. On the motion of Mr. Perno and second of Mr. Fitzgerald, Council approved the following resolutions:

R20-70

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AUTHORIZING THE BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S. 40A:4-8, as amended by L.2015, c. 95, 14, 2015, , provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and.

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the Budget shall be read by title only.

ADOPTION R20-71 Adopt Budget Increase Value of Town. On the motion of Mr. Perno and second of Ms. Scarpa, Council approved the following resolutions:

R20-71

RESOLUTION ADOPTING THE 2020 MUNICIPAL BUDGET OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN IN THE STATE OF NEW JERSEY

BE IT RESOLVED by the Borough Council of the Borough of Merchantville, County of Camden that the budget hereinafter set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$5,010,804.94 for municipal purposes, and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

Summary of Revenues	2020
1. Surplus	341,000.00
2. Total Miscellaneous Revenues	1,146,235.30
3. Receipts from Delinquent Taxes	255,000.00
4. a) Local Tax for Municipal Purposes	3,268,569.64
b) Addition to Local District School Tax	-

c) Minimum Library Tax	-
Total Amt to be Raised by Taxes for Sup of Muni Budget	3,268,569.64
Total General Revenues	5,010,804.94

Summary of Appropriations	2020 Budget
1. Operating Expenses: Salaries & Wages	1,841,146.96
Other Expenses	1,851,595.63
2. Deferred Charges & Other Appropriation	505,927.03
3. Capital Improvements	20,000.00
4. Debt Service (Include for School Purposes)	454,730.00
5. Reserve for Uncollected Taxes	337,405.32
Total General Appropriations	5,010,804.94
Total Number of Employees	51

Summary of Revenues	2020
1. Surplus	27,500.00
2. Sewer Rents	450,000.00
3. Miscellaneous	9,891.00
Total Revenues	487,391.00

Summary of Appropriations	2020 Budget
1. Operating Expenses: Salaries & Wages	71,000.00
Other Expenses	259,044.00
2. Capital Improvements	-
3. Debt Service	150,847.00
4. Deferred Charges & Other Appropriations	6,500.00
Total Appropriations	487,391.00
Total Number of Employees	3

	General	Sewer Utility
Interest	111,714.00	18,132.00
Principal	343,016.00	132,715.00
Outstanding Balance	4,636,994.00	1,430,690.89

RESOLUTIONS to be read by consent agenda: On the motion of Mr. Sperrazza and second of Mr. Fitzgerald, Council approved the following resolutions:

R20-72

**RESOLUTION AUTHORIZING AWARD CONTRACTS PURSUANT TO
CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, RFP #17-10
MARKETING SERVICES OF SINGLE-STREAM RECYCLABLE MATERIALS
UNDER THE CAMDEN COUNTY PRICING SYSTEM, ID #57-CCCPS**

WHEREAS, the Camden County Board of Chosen Freeholders, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier #57-CCCPS advertised for the marketing of recyclable materials services for the County of Camden and participating Municipalities for a term of three years dated from May 1, 2017 through April 30, 2020; and

WHEREAS, it is the desire of the Board of Chosen Freeholders to exercise the contracts option to renew the to responsible bidders, for items listed herein for the needs of the County of Camden and other Cooperative

One (1) year option to renew, commencing on or about May 1, 2020 through April 30, 2021; and

WHEREAS, it is the desire of the Borough Council of the Borough of Merchantville to award contracts, for the items listed herein for the needs of the Borough of Merchantville; and

WHEREAS, funding for this purpose for the Borough of Merchantville shall not exceed the maximum line items for recyclable material services in the Borough's 2020 permanent budget and shall be encumbered prior to incurring the obligation pursuant to NJAC 5:30-5.5(b)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that, contingent upon funding as described herein, the aforementioned proposal #17-10-, be and is hereby awarded to FCR Camden LLC, for the term of one (1) year; and

BE IT FURTHER RESOLVED THAT the proper Borough officials be and are hereby authorized to execute all documents necessary to effect this award.

R20-73
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
 COUNTY OF CAMDEN, STATE OF NEW JERSEY ADOPTING
 THE 3-YEAR COOPERATION AGREEMENT WITH THE
 COUNTY OF CAMDEN**

WHEREAS, the Borough of Merchantville and the County of Camden wish to establish a cooperative means of conducting certain eligible community development and affordable housing activities; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-4 et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, the Housing and Urban-Rural Recovery Act of 1983, the HOME Program Act of 1991, and the Emergency Solutions Grant, as amended, provides federal funds being made available to Camden County for use to carry out eligible Community Development Activities therein; and

WHEREAS, the Borough of Merchantville will propose certain activities to be carried out under the 2021, 2022 and 2023 Community Development, HOME Programs and Emergency Solutions Grant programs; and

WHEREAS, the aforesaid activities are in the best interest of the Borough of Merchantville and the County of Camden;

NOW, THEREFORE, BE IT RESOLVED, by the GOVERNING BODY of the Borough of Merchantville that the 2021 to 2023 Cooperation Agreement be adopted;

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its enactment.

R20-74
**RESOLUTION CERTIFYING A LIEN AGAINST CERTAIN PROPERTIES
 FOR COSTS INCURRED BY THE BOROUGH OF MERCHANTVILLE
 IN ACCORDANCE WITH THE PROPERTY MAINTENANCE CODE**

WHEREAS, in accordance with Chapter 3 of the Code of the Borough of Merchantville entitled the "Property Maintenance Code", notice of noncompliance was sent to the below properties,

WHEREAS, said property owners did not comply with said notice and the Merchantville Public Works Department was ordered to abate the violations; and

WHEREAS, it is the desire of this Governing Body, in accordance with Chapter 60B of the Code of the Borough of Merchantville, to certify said costs incurred by the Merchantville Public Works Department as a lien against the properties; in accordance with Chapter 3 of the Code of the Borough of Merchantville.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the following lien is hereby certified as against the property as noted in accordance with Chapter 3 of the Code of the Borough of Merchantville:

320 W Maple Avenue	\$250.00
23 Browning Road	\$250.00
240 Victoria Street	\$250.00

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this resolution to the owner(s) of the subject property.

BE IT FURTHER RESOLVED that the Tax Collector shall be responsible for collection of the amounts herein certified.

R20-75
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
ADDING 2020 TAX EXEMPTION

WHEREAS, the Merchantville Tax Collector has called to Council's attention additions to the 2020 Tax Duplicate and has requested Council to approve the same:

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Merchantville that the following addition be and are hereby approved:

ADDITION

James Martinez	507 W Maple Ave	Allow Totally Disabled Veteran
Block 5, Lot 11		(Effective 3/30/20)

R20-77
Resolution OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
Requesting Approval of Items of Revenue

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, in the County of Camden, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2020 in the sum of \$ **2,000.00**, which is now available as a revenue from the State Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$**2,000.00** is hereby appropriated under the caption Special items of Recreation; and

R20-79

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING SPECIAL EMERGENCY RESOLUTION**

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, for Codification and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55; and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Merchantville in the County of Camden, New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation is hereby made for the Codification of Borough Ordinances in the total amount of \$10,000.00.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$2,000.00.
3. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

RESOLUTIONS to be read by consent agenda: On the motion of Mr. ??? and second of Mr. ???, Council approved the following resolutions:

**R20-80
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
STATE OF NEW JERSEY, COUNTY OF CAMDEN
APPOINTING AN INFORMATION OFFICER TO
THE BOROUGH OF MERCHANTVILLE**

WHEREAS, there is a need for the appointment of an officer to provide Executive Order information to the business and residents of the Borough of Merchantville due to the Covid-19 virus; and

WHEREAS, the Mayor and council have requested that Michael Reilly serve as officer that will provide executive order information as needed or requested;

NOW, THEREFORE, BE IT RESOLVED that the appointment of Michael Reilly is hereby confirmed to the position of Executive Order Information Officer for the Borough of Merchantville, County of Camden and State of New Jersey, Effective June 8, 2020;

RESOLUTIONS to be read by consent agenda: On the motion of Mr. ??? and second of Mr. ???, Council approved the following resolutions:

**R20-81
Resolution OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO PROCESS
THIRD QUARTER “ESTIMATED” TAX BILLS, DUE AUGUST 1, 2020**

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the final 2020 Tax Levy; and

WHEREAS, the DLGS “strongly recommends” under Local Finance Notice 2020-07 “that municipalities prepare to issue estimated property tax bills for 2020;” and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, in the County of Camden, New Jersey, hereby authorize that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes; and

BE IT FURTHER RESOLVED that, the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that the above is a result of a donation of \$ **2,000.00** from:

Sustainable Jersey Grant – PSE&G 2020 Municipal Small Grants Award	2,000.00
TOTAL	2,000.00

RESOLUTION to be approved separately: On the motion of Mr. Perno and second of Mr. Sperrazza, Council approved the following resolutions:

R20-76
A RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING
THE BOROUGH EMPLOYEE PERSONNEL MANUAL

WHEREAS, the personnel committee of the Borough of Merchantville along with the Joint Insurance Fund has revised the Employee Personnel Manual; and

WHEREAS, the Joint Insurance Fund has required the Borough to approve said Manual; and

WHEREAS, approval of the Governing Body is required for the final approval of the Personnel Manual by the Joint Insurance Fund of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville that they have reviewed the particulars of the Personnel Manual and approved same, effective June 1, 2020.

RESOLUTION to be approved separately: On the motion of Mr. Perno and second of Mr. Woods, Council approved the following resolutions:

R20-78

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
STATE OF NEW JERSEY TO APPROVE ARBOR PRO AS THE CONTRACTOR
TO PERFORM A TREE INVENTORY FOR THE BOROUGH OF MERCHANTVILLE**

WHEREAS, the Borough Council of the Borough of Merchantville desires to participate in the Resiliency Planning Grant offered by the New Jersey Urban and Community Forestry Program; and

WHEREAS, the primary activity to be funded under this grant would be a tree inventory will be to establish an inventory of all trees managed by the Borough of Merchantville, totaling approximately 2,100 trees; and

WHEREAS, the Borough sought Costs Proposals from various vendors, since this inventory project must be undertaken by a tree professional; and

WHEREAS, Arbor Pro of Yorba Linda, California, submitted the lowest proposal from a qualifying tree professional in the amount of Ten Thousand, Three Hundred Ninety-five Dollars (\$10,395.00).

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for Arbor Pro of Yorba Linda, California, to conduct the tree inventory, under the attached criteria, in an amount not to exceed Ten Thousand, Three Hundred Ninety-five Dollars (\$10,395.00).

RESOLUTION to be approved separately: On the motion of Mr. Perno and second of Mr. Fitzgerald, Council approved the following resolutions:

R20-82

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF
NEW JERSEY AUTHORIZING THE TEMPORARY CLOSURE OF A CERTAIN DESIGNATED
PORTION OF WEST CHESTNUT STREET, AND THE TEMPORARY SUSPENSION OF
ENFORCEMENT OF CHAPTER 5-14 AND PORTIONS OF CHAPTER 5-15 OF THE CODE OF THE
BOROUGH OF MERCHANTVILLE**

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville (hereinafter, "Mayor & Council") seek to establish a balance between the competing and conflicting public interests in promoting the reestablishment of public commerce in the Borough of Merchantville, while maintaining safe social distancing to minimize the threat and spread of the Coronavirus pandemic; and

WHEREAS, the Mayor & Council, in recognizing the need for a viable business district in the Borough, have determined that temporary outdoor restaurant seating is imperative in the promotion of this compelling public interest, provided that the implementation of same will occur on a temporary basis, and does not contravene any other public health and safety concerns as set forth in the Borough's and any other State or County regulatory requirements; and

WHEREAS, the Mayor & Council desire to implement such measure as expeditiously as possible to minimize red tape and bureaucratic delay, but subject to a lawful process that will protect the interests of the residents of Borough of Merchantville and its taxpayers; and

WHEREAS, the Mayor & Council acknowledge the existence of the Governor's Executive Orders in respect of the restricted operations of retail businesses and restaurants at this time for take-out business only and, thus, such time period for the implementation of this relief shall commence upon the repeal, expiration, non-renewal of the Governor's Executive Order restricting sales to take-out only and/or other Executive Order superseding the requirements or otherwise allowing for the interim zoning as set forth above, and shall expire on November 15, 2020, or further action of the Mayor and the Borough Council of the Borough of Merchantville, whichever shall occur sooner; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of the Borough of Merchantville that the portion of West Chestnut Street, immediate adjacent to Block 22, Lot 21 on the Official Tax Map of the Borough of Merchantville, from the crosswalk at its intersection with South Centre Street, running in a general westerly direction to a point a distance of one hundred, twenty (120') feet, as so designated by the map attached hereto as "Exhibit A," shall be closed to all vehicular traffic until November 15, 2020, or further action of the Mayor and the Borough Council of the Borough of Merchantville, whichever shall occur sooner; and

BE IT FURTHER RESOLVED that enforcement of Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville, as it relates to "public streets, lanes or sidewalks" only, shall be temporarily suspended in the areas so designated the map attached hereto as "Exhibit A," until November 15, 2020, during the hours of 00:00 pm until 00:00 pm.

BE IT FURTHER RESOLVED that Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville shall be in full force and effect in all other areas of the Borough of Merchantville during the aforementioned time periods.

ORDINANCE for introduction on first reading. This ordinance will be considered for adoption at the public hearing to be held during the June 22nd council meeting.

On the motion of Mr. Perno and second of Mr. Fitzgerald, council introduced the following Ordinance:

20-07

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING INTERIM ZONING IN CHAPTER 94, ZONING, PURSUANT TO N.J.S.A. 40:55D-90(b), TO ALLOW FOR ISSUANCE OF ZONING PERMITS, EFFECTIVE UNTIL THE REPEAL OR RESCINDING OF THE GOVERNOR'S EXECUTIVE ORDER #150, TO PERMIT TEMPORARY OUTDOOR RESTAURANT SEATING AND RETAIL OUTDOOR DISPLAY SALES AREAS AT EXISTING LAWFUL BUSINESSES, SUBJECT TO BULK ZONING AND CONSTRUCTION CODE REQUIREMENTS AND OTHER OUTSIDE AGENCY APPROVALS

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville ("Mayor and Council") is authorized to adopt interim zoning, pursuant to N.J.S.A. 40:55D-90(b), when matters of an imminent public health and safety issue are implicated as confirmed by a qualified health professional; and

WHEREAS, the Mayor and Council seek to establish a balance between the competing and conflicting public interests in promoting the reestablishment of public commerce in the Borough of Merchantville, while maintaining safe social distancing to minimize the threat and spread of the Coronavirus pandemic; and

WHEREAS, the Mayor and Council have determined that interim zoning to permit temporary outdoor restaurant seating and outdoor retail sales displays will promote these compelling public interest goals in a complementary fashion, provided that the implementation of same will occur on a temporary basis, and does not contravene any other public health and safety concerns as set forth in the Borough's bulk zoning requirements, Construction Code requirements and requirements of any other outside County or State agencies; and

WHEREAS, the Mayor and Council desire to implement such measure as expeditiously as possible to minimize red tape and bureaucratic delay, but subject to a lawful process that will protect the interests of the residents of Borough of Merchantville and its taxpayers; and

WHEREAS, the Mayor and Council acknowledge the existence of the Governor's Executive Orders in respect of the restricted operations of retail businesses and restaurants at this time for take-out

business only and, thus, such time period for the implementation of any temporary Zoning Permit issued hereunder, shall commence upon the repeal, expiration, non- renewal of the Governor's Executive Order restricting sales to take-out only and/or other Executive Order superseding the requirements or otherwise allowing for the interim zoning as set forth above, and shall cease upon the repeal or rescinding of the Governor's Executive Order #150; and

WHEREAS, a public health and safety emergency from the Coronavirus pandemic has been deemed to exist authorizing the adoption of interim zoning ordinance, because it will further promote social distancing.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Merchantville, County of Camden and State of New Jersey that:

Section 1. Interim zoning, within the applicable Sections of Chapter 94, Zoning, in the Code of the Borough of Merchantville, is hereby adopted for a period of time from the effective date hereof or such other date as deemed by Executive Order by the Governor, whichever is earlier and retroactive if necessary, to permit the establishment of temporary outdoor seating at lawfully existing restaurants and outdoor retail sales displays at existing lawful retail businesses, and shall cease upon the repeal or rescinding of the Governor's Executive Order #150.

Section 2. Upon submission of a written application and plot plan detailing the proposed temporary use activity described in Section 1., above, the Zoning Officer of the Borough of Merchantville is authorized to issue a temporary zoning permit, provided that such issuance is authorized by existing bulk zoning requirements, the Borough's Construction Code official's determination that it meets applicable Code requirements, and further that it complies with the legal requirements of any county or state agency with jurisdiction over the proposed use and retail sales activity. Since the proposed use is temporary in nature, no application for site plan approval shall be required.

Section 3. Any temporary zoning permit issued hereunder shall lawfully take effect upon the repeal, expiration, non-renewal of the Governor's Executive Order restricting operations of retail businesses and restaurants for take-out business only, or such other Executive Order superseding prior Executive Orders. Such ordinance shall be construed in a manner to fully comport with any future executive orders issued by the Governor.

Section 4. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 5. The provisions of this Ordinance shall supersede the terms of any previously site plan approval, to the extent there is any conflict therewith.

Section 6. This Ordinance shall take effect as set forth above and upon final passage and publication in accordance with law.

FINANCIAL REPORTS

PAYMENT OF BILLS R20-84. On the motion of Mr. Perno and second of Mr. Sperrazza, council approves the following:

R20-84 RESOLUTION

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2019 BUDGET	51,872.26	1,622.18
	2020 BUDGET		203,506.53
	GRANTS		151.05
	PFRS		
	PERS		

	DEBT SERVICE BOARD OF EDUCATION* MEDICAL DEDUCTIBLE CAMDEN COUNTY	
WIRE TRANSFERSPAYROLL	5/22/20-6/4/20	138,259.53
WIRES / MANUAL CHECKS		28,523.94
TOTAL CURRENT		372,063.23
SEWER UTILITY		
CHECKS SEWER FUND	2020 BUDGET	109,822.25
	2019 BUDGET	
	DEBT SERVICE	
WIRE TRANSFERSPAYROLL	5/22/20-6/4/20	\$6,720.60
WIRE NJEIT LOAN		
WIRES /MANUAL CHECKS		
TOTAL SEWER		116,542.85
GENERAL CAPITAL FUND		
CHECK CAPITAL FUND		35,743.95
MANUAL CHECK		46,747.80
WIRE TRANSFERSPAYROLL	5/22/20-6/4/20	
TOTAL CAPITAL		82,491.75
TRUST FUND		
CHECK TRUST OTHER FUND		9,191.39
REDEVELOPER TRUST		
WIRE TRANSFERS PAYROLL	5/22/20-6/4/20	7,321.00
WIRES / MANUAL CHECKS		12,904.00
TOTAL TRUST		3,443.50
SEWER CAPITAL FUND		
CHECK SEWER CAPITAL		
MANUAL CHECKS		
WIRE TRANSFERS PAYROLL		
TOTAL SEWER CAPITAL		-
ANIMAL TRUST FUND		
ANIMAL TRUST CHECK		353.60
TOTAL ANIMAL TRUST		353.60
TOTAL BILL LIST & MANUAL CHECKS/WIRE		574,894.93
GRAND TOTAL		\$ 574,894.93

ANNOUNCEMENTS

PRIVATE SESSION

ADJOURNMENT: On the motion of Mr. Perno and second of Ms. Scarpa the meeting was adjourned at 8:58 P.M.

**ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED
OFFICIAL ACTION MAY BE TAKEN AT THIS MEETING
AGENDA IS SUBJECT TO CHANGE**

Denise Brouse, Borough Clerk